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Class Counsel for the  
ACTIVE MEMBER CLASS

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA**

DONNA ZIZIAN, Individually and on  
behalf of all other similarly situated  
California Residents,

Plaintiff,

v.

MASSAGE ENVY FRANCHISING,  
LLC, a Delaware limited liability  
company,

Defendant.

Case No. 16-cv-00783-DMS-BGS

**ACTIVE MEMBER CLASS  
REPRESENTATIVES' NOTICE OF  
MOTION AND MOTION FOR  
AWARD OF ATTORNEYS' FEES,  
EXPENSES AND SERVICE  
AWARD**

Date: January 13, 2017  
Time: 1:30 p.m.  
Crtrm: 13A  
Judge: Hon. Dana M. Sabraw

MICHELE BANDELL, DAVID  
EIGLARSH, CHARLENE PANOS,  
JEANETTE RAWLS, JENNIFER  
WALKER, and ALEX ZENNARO,  
individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

MASSAGE ENVY FRANCHISING,  
LLC, a Delaware Limited Liability  
Company,

Defendant.

Case No. 16-cv-01236-DMS-BGS

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that on January 13, 2017, at 1:30 p.m., in Courtroom 13A of the above-titled Court located at 333 West Broadway, San Diego, California, the Honorable Dana M. Sabraw presiding, Plaintiff Donna Zizian (“Zizian”) in the matter entitled *Donna Zizian, Individually and on behalf of all other similarly situated California Residents v. Massage Envy Franchising, LLC*, Case No. 3:16-cv-00783-DMS-BGS respectfully moves this Court to approve an award of attorneys’ fees, reimbursement of expenses, and service award.

This motion is based on this notice of motion, the accompanying memoranda of points and authorities, the Declarations of Brett M. Weaver, Lori Castaneda, all pleadings and papers filed in this Action, the arguments of counsel, and any other matter that the Court may consider at the hearing on this motion.

Respectfully submitted,

Dated: October 4, 2016

JOHNSON & WEAVER, LLP

By: s/ Brett M. Weaver

BRETT M. WEAVER

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ACTIVE MEMBER CLASS

**PROOF OF SERVICE**

I am employed in the County of San Diego. I am over the age of eighteen years and am not a party to the within entitled action. My business address is 600 West Broadway, Suite 1540, San Diego, CA 92101.

On October 4, 2016, I served a copy of the following document:

- 1) **ACTIVE MEMBER CLASS REPRESENTATIVES' NOTICE OF MOTION AND MOTION FOR AWARD OF ATTORNEYS' FEES, EXPENSES AND SERVICE AWARD;**
- 2) **ACTIVE MEMBER CLASS REPRESENTATIVES' MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR AWARD OF ATTORNEYS' FEES, EXPENSES AND SERVICE AWARD;**
- 3) **DECLARATION OF LORI L. CASTANEDA IN SUPPORT OF PLAINTIFFS' MOTION FOR AN AWARD OF ATTORNEYS' FEES, REIMBURSEMENT OF EXPENSE; and**
- 4) **DECLARATION OF BRETT M. WEAVER IN SUPPORT OF ACTIVE MEMBER CLASS' MOTION FOR AN AWARD OF ATTORNEYS' FEES, REIMBURSEMENT OF EXPENSES AND SERVICE AWARD.**

☒ **[BY ELECTRONIC ACCESS]** I hereby certify that the foregoing documents were filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon all parties on the electronic service list maintained for this case.

I declare under penalty of perjury under the law of the United States of America that the foregoing is true and correct.

Executed on October 4, 2016, at San Diego, California.

Bv: s/ Brett M. Weaver  
BRETT M. WEAVER